

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

BRYON FREES,	:	
	:	
Plaintiff,	:	Case No. 3:09cv00301
	:	
vs.	:	District Judge Walter Herbert Rice
	:	Magistrate Judge Sharon L. Ovington
PIONEER CREDIT RECOVERY,	:	
INC., et al.,	:	
	:	
Defendants.	:	

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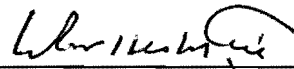
**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS  
FILED ON OCTOBER 7, 2010 (Doc. #47); GRANTING DEFENDANT ITT  
TECHNICAL INSTITUTE'S MOTION TO DISMISS (Doc. #44); GRANTING  
PLAINTIFF'S MOTION FOR ORDER DISMISSING DEFENDANT ITT (Doc. #45)  
AND ORDERING PLAINTIFF'S CLAIMS AGAINST DEFENDANT ITT  
DISMISSED WITHOUT PREJUDICE; AND NOTING THAT THE CASE  
OTHERWISE REMAINS PENDING ON THE DOCKET OF THIS COURT**

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The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #47), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations filed on October 7, 2010 (Doc. # 47) is ADOPTED in full;
2. Defendant ITT Technical Institute's Motion to Dismiss (Doc. #44) is GRANTED;
3. Plaintiff's Motion for Order Dismissing Defendant ITT (Doc. #45) is GRANTED and Plaintiff's claims against Defendant ITT are dismissed without prejudice; and
4. The case otherwise remains pending on the docket of this Court.



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Walter Herbert Rice  
United States District Judge